

# Court of Appeals, State of Michigan

## ORDER

Leslie Liska v Hamtramck School Dist

Docket No. 272134

LC No. 06-605827-CZ

Kurtis T. Wilder  
Presiding Judge

Michael J. Talbot

Christopher M. Murray  
Judges

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The Court orders that the motion for damages pursuant MCR 7.216(C)(1) is GRANTED to the extent that the Court orders plaintiff-appellant to pay defendant-appellee its actual damages for having been required to respond to this meritless appeal. Having reviewed plaintiff-appellant's stricken brief on appeal, the Court is of the opinion that the brief's statement of facts grossly disregarded the requirement of a fair presentation of the issues to the Court and there was no reasonable basis to believe that the issue raised in the brief had any merit. Additionally, because plaintiff-appellant never submitted a conforming brief, it was a waste of defendant-appellee's resources to file its brief on appeal. The matter is REMANDED to the trial court for a determination of defendant-appellee's actual expenses, including attorney fees, incurred in responding to this appeal and entry of an order in favor of defendant-appellee and against plaintiff-appellant in the amount determined. We decline to assess punitive damages. The Court does not retain jurisdiction.

Judge Wilder would deny the motion for damages.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

March 1, 2007  
Date

*Sandra Schultz Mengel*  
Chief Clerk